



Applicant's or agent's file reference 11017P4 WO/CMB		FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/GB 03/01537	International filing date (day/month/year) 10.04.2003	Priority date (day/month/year) 12.04.2002	
International Patent Classification (IPC) or both national classification and IPC B65D5/52			
Applicant RECKITT BENCKISER N.V.			

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 4 sheets, including this cover sheet.

☒ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

 These annexes consist of a total of 3 sheets.

3. This report contains indications relating to the following items:
 - I ☒ Basis of the opinion
 - II ☐ Priority
 - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - IV ☐ Lack of unity of invention
 - V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - VI ☐ Certain documents cited
 - VII ☐ Certain defects in the international application
 - VIII ☐ Certain observations on the international application

Date of submission of the demand 11.11.2003	Date of completion of this report 30.07.2004
Name and mailing address of the International preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016	Authorized Officer Mans-Kamerbeek, M Telephone No. +31 70 340-3969 

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/GB 03/01537**

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

1-7 as originally filed

Claims, Numbers

1-14 received on 26.03.2004 with letter of 24.03.2004

Drawings, Sheets

1/2-2/2 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

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5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-14
	No: Claims	
Inventive step (IS)	Yes: Claims	1-14
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-14
	No: Claims	

2. Citations and explanations

see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/GB 03/01537

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Reference is made to the following document:

D1: US-A-3 756 385 (STEINBOCK F) 4 September 1973 (1973-09-04)

1)

The document **D1** is regarded as being the closest prior art to the subject-matter of claim 1, and shows a packaging and displaying box.

The subject-matter of claim 1 differs from this known box in that the flaps on the side wall are arranged alternately.

The subject-matter of claim 1 is therefore new (Article 33(2) PCT).

The problem to be solved by the present invention may be regarded as providing at least one flap per primary package, while keeping a certain stability in the side walls.

The solution to this problem posed in claim 1 of the present application is considered as involving an inventive step (Article 33(3) PCT) for the following reasons:
the prior art does not suggest the alternating construction of the flaps.

Claims 1-11 are dependent on claim 1 and as such also meet the requirements of the PCT with respect to novelty and inventive step.

2)

The document **D1** is regarded as being the closest prior art to the subject-matter of claim 12, and shows a blank for making a packing and displaying box.

The subject-matter of claim 12 differs from this known blank in that the flaps on the side wall are arranged alternately.

The subject-matter of claim 12 is considered new (Article 33(2) PCT) and inventive (Article 33(3) PCT) for the same reasons as claim 1.

Claims 13 and 14 are dependent on claim 12 and as such also meet the requirements of the PCT with respect to novelty and inventive step.

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Claims

1. Packing and displaying box (14) for receiving a multitude of primary packages (13), comprising a bottom surface (2), a front wall (3), a rear wall (4) and two side walls (5) having flaps (9) in the area of their upper edges, the flaps (9) projecting inwardly and being aligned in a position departing substantially from the verticality, preferably forming an angle with the vertical of more than 40°, characterized in that the flaps (9) are arranged alternately on the side walls (5) providing at least one flap (9) per primary package (13).
2. Packing and displaying box according to claim 1, wherein the flaps (9) form an angle with the vertical of more than 60°, still more preferably more than 80° and most preferably of 90°.
3. Packing and displaying box according to claim 1 or 2, characterized in that the flaps (9) are arranged alternately on the side walls (5) providing at least one flap (9) per primary package (13) except for the first and/or last primary package (13) in the packing and displaying box (14).
4. Packing and displaying box according to any of the preceding claims, characterized in that each flap (9) is loosely engageable with one primary package (13).
5. Packing and displaying box according to any of the preceding claims, characterized in that the packing box (14) is made of a blank (1), which is made of cardboard.

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- 5 6. Packing and displaying box according to any of the preceding claims,
characterized in that the side walls (5) are double-walled.
7. Packing and displaying box according to claim 6, characterized in that the front
and rear walls (3, 4) are fixed to the side walls (5) by means of rough surfaces (6)
which are retained within the double-walled side walls (5).
- 10 8. Packing and displaying box according to any of the preceding claims,
characterized in that the front wall (3) is substantially cut out.
9. Combination of a multitude of primary packages (13) and a packing and
displaying box (14) according to any one of claims 1 to 8.
- 15 10. Combination according to claim 9, characterized in that each flap (9) is loosely
engageable with one primary package (13).
11. Combination according to claim 10 characterized in that each primary package
(13) comprises at its sides an indentation (15) for loose engagement with such
flaps (9).
- 20 12. Blank (1) for making a packing and displaying box (14) according to any of the
preceding claims 1 to 8, characterized in that the side walls (5) comprise
extensions (8) for engaging into grooves (7) punched on the bottom surface when
the blank (1) is folded, and the side walls (5) comprise flaps (9) slitted therein
intended to project inwardly and be aligned in a position departing substantially
from the verticality, preferably forming an angle with the vertical of more than
25 40°, when the box is erected.

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- 5 13. Blank according to claim 12, characterized in that the blank (1) comprises folds (11) and double-folds (12) for folding the blank (1) according to a specific pattern.
14. Blank according to claim 12 or 13, characterized in that the folds (11) and double-folds (12) comprise small incisions.